

1 J. Allen Roth, Esq.
2 805 Alexandria Street S.
3 Latrobe PA 15650
4 (724) 686-8003
5 office@jarothlaw.com

6 COUNSEL FOR OBJECTORS
7 SAMMY RODGERS AND ALVERY NEACE

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION

11 *IN RE: ZOOM VIDEO COMMUNICATIONS*
12 *INC. PRIVACY LITIGATION,*

Master Case No. 3:20-cv-02155-LB

13 This Document Relates To:
14 All Actions

15 **DECLARATION OF J. ALLEN ROTH**
16 **IN SUPPORT OF MOTION FOR**
17 **ATTORNEYS' FEES AND INCENTIVE**
18 **AWARD FOR OBJECTORS SAMMY**
19 **RODGERS AND ALVERY NEACE**

20 I, J. Allen Roth, declare and state under the penalty for perjury that the following is true and
21 correct to the best of my knowledge (28 USC 1746):

- 22 1. My name is J. Allen Roth.
- 23 2. I am an attorney admitted to practice in the Commonwealth of Pennsylvania. I was
24 first admitted in 1979. I was admitted to the United States District Court for the
25 Western District of Pennsylvania and the United States Court of Appeals for the Third
26 Circuit in or around 1985. I am also admitted to practice in the United States Court of
27 Appeals for the First Circuit and the Ninth Circuit.
- 28 3. Since the mid-1980s, I have managed my own law firm representing clients in state
and federal court matters. My legal practice focuses on consumer rights, bankruptcy,
Americans with Disabilities Act defense, Freedom of Information Act administrative
cases, estate law, criminal law, employment law, family, and other matters.

4. In this case, a client I represented in a federal consumer action, Sammy Rodgers, contacted me and advised that he and an associate felt some of the terms of the Zoom Privacy Litigation appeared unfair and inappropriate.
5. After discussions with both Sammy Rodgers and Alvery Neace, I agreed to prepare objections based on their complaints.
6. I undertook this representation with no guarantee of payment. Both Mr. Rodgers and Mr. Neace are persons with a middle-class income.
7. Based on a review of class action decisions in the Northern District of California, including this matter, Court routinely approve rates in excess of \$650 per hour for attorneys with my level of experience in contingent class action litigation.
8. During the settlement discussions, I agreed to a \$600 an hour cap on the basis that my geographic location enable me to operate with lower costs than if I was physically in the Northern District of California.
9. I did not attempt to recoup costs for legal research my paralegal and law clerk staff engaged in.
10. I incurred expenses of \$505.00 for filing the Notice of Appeal in this case.
11. My records, which omit several tasks and wireless conversations that I did not keep billing records for, show that I spent 4,940 minutes on the case, which amounts to 82.3 hours. The billing would be \$49,400 at \$600 per hour.
12. However, per the settlement agreement, I agreed to cap expenses and attorney fees at \$47,900.
13. In addition, I am requesting that the two objectors, Sammy Rodgers and Alvery Neace each receive \$1,000 as a nominal service award. These clients took the initiative to contact my office and discuss certain issues with the Zoom settlement agreement and the administration of the settlement.
14. The objectors donated many hours reviewing documents and discussing the matter with me.
15. \$1,000 for each of these objectors appears appropriate in this case.
16. Specifically, the issues these objectors raised caused the claims administrator to make important changes to their website enabling consumers to easily update their contact information. In addition, clients who moved or have their checks returned will receive contact from the claims administrator.

- 1 17. While this is not a solution to the chronic problem in class actions where only about
2 half the payments reach the end users, it is a first step.
- 3 18. While my clients had other objections, the low per-claimant payment does not make
4 this a good case to require their other requested modifications.
- 5 19. The incentive payment will encourage claimants to participate in class actions in the
6 future and provide ideas to improve notice provisions and payment procedures.
- 7 20. Hopefully in the future, claims administrators and class counsel in other litigations
8 review objections carefully and attempt to resolve problems without the need for
9 filing an appeal so attorney fees can be kept low.
- 10 21. For this reason, it is appropriate that the funds to provide the objector incentive and
11 my attorney fees come from the already approved attorney payments in this case.
- 12 22. Therefore, I respectfully request that this Court award \$47,900 in attorney fees and
13 expense reimbursement and direct an incentive payment of \$1,000 to Sammy
14 Rodgers and \$1,000 to Alvery Neace.

15 Dated this 28th day of December 2022.

16 /s/ J. Allen Roth

17 J. Allen Roth
18
19
20
21
22
23
24
25
26
27
28

Law Office of J. Allen Roth, Esq.

805 Alexandria Street S. Latrobe PA 15650
(724) 686-8003
office@jarothlaw.com

J Allen Roth

Date	Project / Client	Task	Minutes	Rate	TOTAL
2/5/2022	Zoom 40239	Call from client re Zoom Privacy settlement	52.00	\$10.00	\$520.00
2/5/2022	Zoom 40239	Call with clients re Zoom Privacy settlement	74.00	\$10.00	\$740.00
2/6/2022	Zoom 40239	Review and respond to client email re their objections to settlement	49.00	\$10.00	\$490.00
2/7/2022	Zoom 40239	Review docket sheet, Complaint, settlement agreement, notices	160.00	\$10.00	\$1,600.00
2/16/2022	Zoom 40239	Review requirements of Northern District California local rules pro hac vice, review cases waiving requirements for PHV, prepare motion for admission	55.00	\$10.00	\$550.00
2/22/2022	Zoom 40239	Review objection from class counsel to administrative motion to waive requirements	15.00	\$10.00	\$150.00

2/22/2022	Zoom 40239	Review letter from Patricial Meyers to settlement administrator	12.00	\$10.00	\$120.00
3/1/2022	Zoom 40239	Review objection from Better World Properties to class settlement	22.00	\$10.00	\$220.00
3/2/2022	Zoom 40239	teleconference with law clerk re objections, review cases from law clerk, review statutes	205.00	\$10.00	\$2,050.00
3/3/2022	Zoom 40239	Review Order from Court re PHV	10.00	\$10.00	\$100.00
3/3/2022	Zoom 40239	telephone call with client	26.00	\$10.00	\$260.00
3/3/2022	Zoom 40239	telephone call with clients, telephone call with law clerk, review cases, speak to printing press	75.00	\$10.00	\$750.00
3/4/2022	Zoom 40239	review objections of Judith Cohen	39.00	\$10.00	\$390.00
3/4/2022	Zoom 40239	prepare objections, review cases, email draft to client, prepare pro hac vice motion	245.00	\$10.00	\$2,450.00
3/4/2022	Zoom 40239	telephone call with client	45.00	\$10.00	\$450.00
3/6/2022	Zoom 40239	revise objections, upload objections, upload motion	110.00	\$10.00	\$1,100.00
3/7/2022	Zoom 40239	review order granting pro hac vice	10.00	\$10.00	\$100.00
3/15/2022	Zoom 40239	review reply to motion for settlement, objections of cody powers	55.00	\$10.00	\$550.00

3/16/22	Zoom 40239	telephone call with client; conference with law clerk	135.00	\$10.00	\$1,350.00
3/24/2022	Zoom 40239	prepare reply, email draft to client, telephone call with client, edit reply	145.00	\$10.00	\$1,450.00
3/25/2022	Zoom 40239	edit reply, upload reply	37.00	\$10.00	\$370.00
3/25/2022	Zoom 40239	review reply by judith cohen, proposed order 238 of class counsel, reply re attorney fees,	72.00	\$10.00	\$720.00
4/6/2022	Zoom 40239	review order changing date of hearing and telephone call with client	22.00	\$10.00	\$220.00
4/21/2022	Zoom 40239	review Final Approval Order and court docket	54.00	\$10.00	\$540.00
5/10/2022	Zoom 40239	prepare notice of appeal, email to client, call with clients	39.00	\$10.00	\$390.00
5/17/2022	Zoom 40239	revise and upload noa	24.00	\$10.00	\$240.00
5/20/2022	Zoom 40239	review cross-noa	12.00	\$10.00	\$120.00
5/31/2022	Zoom 40239	prepare mediation questionnaire, call with client seeking authorization to file, upload to court.	121.00	\$10.00	\$1,210.00
6/25/2022	Zoom 40239	legal research, review cases, review paralegal report, make notes for brief	210.00	\$10.00	\$2,100.00
7/10/2022	Zoom 40239	draft template for appeal brief, review paralegal report, make notes	185.00	\$10.00	\$1,850.00

7/12/2022	Zoom 40239	review motion to consolidate cases. call to client to determine if objection to consolidate	38.00	\$10.00	\$380.00
7/13/2022	Zoom 40239	discuss mediation with client, email to 9th Circuit mediation, review acknowledgment	45.00	\$10.00	\$450.00
7/19/2022	Zoom 40239	prepare for mediation session; participate in mediation session before 9th Cir. mediator	135.00	\$10.00	\$1,350.00
7/20/22	Zoom 40239	telephone call with clients, telephone call with law clerk, review cases, speak to printing press	183.00	\$10.00	\$1,830.00
7/25/2022	Zoom 40239	prepare argument for brief, review cases, analyze statutes	180.00	\$10.00	\$1,800.00
7/27/2022	Zoom 40239	teleconference with law clerk	205.00	\$10.00	\$2,050.00
8/1/2022	Zoom 40239	review email to parties from counsel for Judith Cohen. Discuss with clients	26.00	\$10.00	\$260.00
8/2/2022	Zoom 40239	review scheduling and consolidation order	10.00	\$10.00	\$100.00
8/2/2022	Zoom 40239	review ermail from class counsel to parties and 9th circuit mediation; discuss with clients; prepare and send response email	27.00	\$10.00	\$270.00
8/13/2022	Zoom 40239	review extension of time by judith cohen	8.00	\$10.00	\$80.00
8/14/2022	Zoom 40239	telephone call with law clerk; telephone call with clients	35.00	\$10.00	\$350.00
8/16/2022	Zoom 40239	legal research for brief, prepare argument	180.00	\$10.00	\$1,800.00

8/17/2022	Zoom 40239	prepare standards of review for brief, review cases	95.00	\$10.00	\$950.00
8/22/2022	Zoom 40239	review new scheduling order	10.00	\$10.00	\$100.00
8/23/2022	Zoom 40239	legal research, brief preparation, brief editing	270.00	\$10.00	\$2,700.00
8/25/2022	Zoom 40239	conference with law clerk, case analysis	185.00	\$10.00	\$1,850.00
9/2/2022	Zoom 40239	discussion with counsel for zoom, create memorandum, review notes, review email from counsel for zoom, send email to counsel for zoom	53.00	\$10.00	\$530.00
9/3/2022	Zoom 40239	conference with law clerk	45.00	\$10.00	\$450.00
9/8/2022	Zoom 40239	review email from counsel for zoom, send email to counsel for zoom	6.00	\$10.00	\$60.00
9/9/2022	Zoom 40239	review email from counsel for zoom, send email to counsel for zoom	3.00	\$10.00	\$30.00
9/10/2022	Zoom 40239	conference with law clerk, review cases	92.00	\$10.00	\$920.00
9/11/2022	Zoom 40239	discuss settlement negotiations with clients	86.00	\$10.00	\$860.00
9/14/2022	Zoom 40239	review email from counsel for zoom	2.00	\$10.00	\$20.00
9/17/2022	Zoom 40239	review email from counsel for Zoom, discuss with clients	65.00	\$10.00	\$650.00

9/19/2022	Zoom 40239	prepare and file streamlined extension request	12.00	\$10.00	\$120.00
9/19/2022	Zoom 40239	review email from counsel for Zoom	3.00	\$10.00	\$30.00
9/20/2022	Zoom 40239	email to counsel for Zoom	10.00	\$10.00	\$100.00
9/22/2022	Zoom 40239	review email from counsel for zoom. review modification to settlement website, discuss with clients	27.00	\$10.00	\$270.00
9/22/2022	Zoom 40239	conference with law clerk, analyze memo from paralegal	60.00	\$10.00	\$600.00
9/23/2022	Zoom 40239	telephone call with clients, prepare and send email to counsel for Zoom	19.00	\$10.00	\$190.00
10/5/2022	Zoom 40239	email to counsel for Zoom, review response, send email to clients	6.00	\$10.00	\$60.00
10/7/2022	Zoom 40239	review email and attachment from counsel for Zoom, conference call with clients, forward documents to clients	72.00	\$10.00	\$720.00
10/11/2022	Zoom 40239	email to counsel for zoom	8.00	\$10.00	\$80.00
10/17/2022	Zoom 40239	emails with counsel for Zoom	6.00	\$10.00	\$60.00
10/18/2022	Zoom 40239	final review of document from counsel, return executed document	15.00	\$10.00	\$150.00
10/25/2022	Zoom 40239	emails with counsel for zoom and clients	12.00	\$10.00	\$120.00

10/26/2022	Zoom 40239	telephone conference with clients and law clerk	45.00	\$10.00	\$450.00
11/11/2022	Zoom 40239	review Order re indicative ruling, email client copy, discuss with client	29.00	\$10.00	\$290.00
11/14/2022	Zoom 40239	review stipulated motion	27.00	\$10.00	\$270.00
12/14/2022	Zoom 40239	review unopposed motion to approve settlement	29.00	\$10.00	\$290.00
12/16/2022	Zoom 40239	review Order granting motion for settlement	24.00	\$10.00	\$240.00
12/27/2022	Zoom 40239	prepare motion for service awards and fees	185.00	\$10.00	\$1,850.00
12/28/2022	Zoom 40239	prepare declaration and edit motion for service fees	52.00	\$10.00	\$520.00
					\$0.00
BILLABLE MINUTES			4940.00	BILLABLE TOTAL	\$49,400.00